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U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

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DEPT. OF TRANSPORTATION  
DOCKETS

400 Seventh St., S.W.  
Washington, D.C. 20590

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Mr. Alan I. Roberts  
President  
Dangerous Goods Advisory Council  
1101 Vermont Avenue, Suite 301  
Washington, D.C. 20005

Dear Mr. Roberts:

This is in response to the May 19, 2003 comment you submitted to the notice of proposed rulemaking (NPRM) published on December 3, 2002 under Docket No. RSPA 2002-13658 (HM-215E) titled "Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions." Specifically, you requested that we add the word "non-conforming" to the "Salvage packaging" definition in § 171.8 and to "Salvage drums" in § 173.3.

During the development of the HM-215E NPRM, we overlooked addressing the addition of the word "non-conforming" with respect to salvage packagings. Because the revision was not proposed in the December 3, 2002 NPRM, it was beyond the scope of the subsequent final rule. As you requested, we have filed your request as a petition for rulemaking (petition # P-1432) and will address the issue in an upcoming NPRM.

Please contact us if you have any questions regarding this action.

Sincerely,

Edward T. Mazarro  
Director, Office of  
Hazardous Materials Standards